SERVED: February 18, 2015

NTSB Order No. EA-5740

UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. § 800.24) on the 18th day of February, 2015

)	
MICHAEL P. HUERTA,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	
v.)	Docket SM-5442
)	
DAVID L. NORTON, JR.,)	
)	
Respondent.)	
)	
)	

ORDER DISMISSING RESPONDENT'S APPEAL

Respondent filed a timely notice of appeal from the law judge's oral initial decision, issued on December 17, 2014.

The Board's Rules of Practice require a notice of appeal be filed within 10 days after the oral initial decision or written order, and must be perfected by an appeal brief filed within 30 days after a written decision. Respondent's appeal brief was due on January 16, 2015. The Administrator filed a motion to dismiss respondent's appeal on February 12, 2015. As of today's date, respondent has not filed an appeal brief or response to the motion to dismiss.

¹ 49 C.F.R. §§ 821.47(a), 821.48(a).

Under 49 C.F.R. § 800.24(j), the NTSB General Counsel may dismiss late filed notices of appeal and appeal briefs for lack of good cause. As explained above, respondent failed to file his appeal brief in a timely manner, and has not provided good cause for the delay.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's appeal is dismissed.

David K. Tochen General Counsel

David K. Torhen